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Security Council

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Identical letters dated 26 October 2016 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, and further to our previous letters drawing your attention to attacks by the so-called international coalition against civilians, infrastructure and economic facilities in the Syrian Arab Republic, I transmit herewith a table containing:

(a) Initial estimates of the costs of losses resulting from attacks carried out by the so-called international coalition against oil and gas facilities in the Syrian Arab Republic during the period from 1 August to 16 October 2016 (see annex I).

(b) Initial estimates of the overall costs of losses resulting from attacks carried out by the so-called international coalition against oil and gas facilities in the Syrian Arab Republic from the onset of those attacks to 16 October 2016 (see annex II).

The Syrian Arab Republic reiterates its position regarding counter-terrorism, which it has set out in identical letters addressed to the Secretary-General and the President of the Security Council, including the letter issued under the symbol A/68/984-S/2014/642.

The Syrian Arab Republic once again calls for an immediate cessation of such violations and reiterates that it has the right to demand compensation from the States of the so-called international coalition for their deliberate destruction of Syrian infrastructure and service, industrial, production and gas installations.

I should be grateful if the present letter could be issued as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

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Annex I to the identical letters dated 26 October 2016 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

Table of initial estimates of cumulative damages resulting from the bombing by the air force of the so-called Western coalition of oil and gas installations from 23 September 2014 to 16 October 2016

Value of damages to active and other associated companies assessed recently for the period from 1 August to 16 October 2016

				Amount of losses (United States dollars)		
Company	*Date*	*Location*	*Losses and damage sustained*	*Direct*	*Indirect losses (from burning of oil and gas)*	*Total*
Furat Petroleum Company	26 September 2016	Jaziyah	The area near Jaziyah well No. 115 was attacked. The well head was not damaged. Costs are for pollution clean-up only	175 000	8 118	183 118
	26 September 2016	Umar field	Well O-NE 109 was targeted and the well head was struck. The resulting fire was extinguished. The costs include the damage to the well head (connection equipment) + repair excavator + pollution clean-up	1 305 000	8 118	1 313 118
	26 September 2016	Umar field	Umar wells Nos. 122 and 178 were struck but not damaged. Costs are for pollution clean-up only	350 000	16 236	366 236
Total losses				**1 830 000**	**32 472**	**1 862 472**

				Amount of losses (United States dollars)		
Company	*Date*	*Location*	*Losses and damage sustained*	*Direct*	*Indirect losses (from burning of oil and gas)*	*Total*
Dayr al Zawr Petroleum Company	14 September 2016	Jafra field	Bombardment of the housing facilities at the Jafra field	50 000	–	50 000
Total losses				**50 000**	–	**50 000**

Annex II to the identical letters dated 26 October 2016 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

Cumulative value of damages assessed from the onset of the bombings on 23 September 2014 to 16 October 2016

Initial estimates of losses sustained at the oil and gas installations of all companies in the Syrian Arab Republic as result of the bombings carried out by the air force of the so-called Western coalition, estimated from the onset of the bombings to 16 October 2016	*Amount of losses (United States dollars)*		
	Direct	*Indirect (from production delays or burning of oil and gas)*	*Total*
In 2014	521 330 048	22 280 985	543 611 033
In 2015	1 015 001 533	112 256 257	1 127 257 790
In 2016	125 554 200	45 507	125 599 707
Total	**1 661 885 781**	**134 582 749**	**1 796 468 530**
Grand total		**1 796 468 530**	

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Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested me to report at regular intervals on the implementation of its mandate. The report covers the activities of UNMIK and developments relating thereto from 16 July to 15 October 2016.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and the region. In furtherance of its goals, UNMIK continues its constructive engagement with Pristina and Belgrade, all communities in Kosovo and regional and international actors. The Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) continue to perform their roles within the framework of Security Council resolution 1244 (1999). The European Union Rule of Law Mission (EULEX) continues its presence in Kosovo in line with the presidential statement of the Security Council of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692). The United Nations agencies, funds and programmes work closely with the Mission.

II. Political and security developments

3. During the reporting period, political tensions centred around the dispute over the draft law ratifying the agreement on territorial delineation with Montenegro and the adoption of a new law on the Trepca mining and industrial complex. The latter issue created additional public tension between Pristina and Belgrade, while the implementation of the agreements reached within the framework of the European Union-facilitated dialogue continued only at a slow pace.

4. On 4 August 2016, the government of Kosovo approved the draft law ratifying the territorial delineation agreement, which had been reached on 26 August 2015, and submitted it to the Assembly. On 9 August, the Assembly of Kosovo Committee on Foreign Affairs voted in favour of the draft law during a session marked by the release of tear gas by a member of the opposition party Vetëvendosje ("Self-determination"), who was subsequently detained. The following day, the presidency

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of the Assembly met to schedule a meeting to vote on the draft law, with the session once again marred by the release of tear gas in the chamber by a member of Vetëvendosje. On 1 September, the scheduled date of the vote, the Prime Minister of Kosovo, Isa Mustafa, requested the Assembly to withdraw the draft law from consideration on the basis that the government needed to secure broader consensus before proceeding.

5. Public protests against the territorial delineation agreement were organized on 5, 26 and 27 August, in Pristina, South Mitrovica and in Pejë/Peć, respectively. Vetëvendosje then held a demonstration in front of the Assembly during its session on 1 September. That day, Kosovo police officers arrested two Vetëvendosje members for attempting to bring pepper spray and tear gas into the Assembly and detained two persons outside the Assembly building who were found to be carrying 22 home-made petrol bombs. In addition, a Vetëvendosje employee was arrested for interfering with computer systems of the Assembly and the public broadcaster Radio Television of Kosovo (RTK).

6. Instances of political violence continued, several of which appeared to relate directly to the disputed agreement on territorial delineation with Montenegro. On 4 August, a rocket-propelled grenade was fired at the Assembly building, causing significant damage. In the ensuing investigation, which was continuing as at the time of writing, the police identified Vetëvendosje activists as suspects. On 9 August, an explosive device was discovered and disarmed by police at the private residence of the Chair of the Kosovo Commission for Border Demarcation. On 22 August, a hand grenade was detonated at the main RTK building in Pristina, causing damage to the building and to some equipment. On 28 August, another hand grenade was detonated near the house of the Director of RTK in Pristina, again causing material damage. In addition, on 1 September, the Kosovo police discovered and seized some 50 backpacks containing petrol bomb materials and other explosives from a storage room in Pristina rented by Vetëvendosje.

7. The ratification of the agreement with Montenegro remains among the conditions set by the European Union in order to provide visa-free Schengen area travel to the population of Kosovo. Accordingly, on 5 September, the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament voted only to extend the existing visa waiver for Kosovo but not to initiate any further steps, citing the non-ratification of the agreement with Montenegro.

8. On 8 October, the Assembly of Kosovo adopted a new law on the Trepca industrial complex, which provoked immediate controversy because the ownership and structure of the plant have been the subject of a long-standing dispute. The law provides for the transformation of Trepca into a publicly owned Kosovo company, with 80 per cent of shares held by the Kosovo authorities and 20 per cent by employees. The Prime Minister stated at the Assembly that mineral resources were the property of Kosovo and, with the law, Trepca's assets were and would remain in Kosovo. In Belgrade, the Government of Serbia held a Cabinet meeting on 11 October to discuss Trepca, along with the Pristina-Belgrade dialogue agreement on telecommunications. The Prime Minister of Serbia, Aleksandar Vučić, announced a government decision annulling all legal consequences of documents and actions of the Pristina institutions concerning Trepca, and warned Pristina against unilateral action or forceful seizure of property. Within the Assembly of Kosovo, the law was

opposed by the Kosovo-Serb party Civic Initiative Serbia, whose members also boycotted the vote, and by Vetëvendosje. Both parties complained of a lack of prior consultation and of insufficient time to review the text of the law before its passage through the Assembly.

9. Public protests, including some roadblocks, were organized in northern Kosovo, where most of the Trepca mines and facilities are located. On 7 October, Kosovo Serb representatives held a joint extraordinary session of the four northern municipal assemblies, also attended by the three Kosovo Serb ministers, to register their objection to the draft law on Trepca under consideration by the Assembly and to call for its withdrawal. After the law was passed, Kosovo Serb members of the Assembly and government announced a "freeze" of their participation in official activities and stressed that they would not accept any decision on Trepca that had not been agreed to by Kosovo Serb representatives.

10. On 11 August, a new Government of Serbia was sworn in, with the head of the Serbian Progressive Party, Aleksandar Vučić, continuing as Prime Minister. The Government continues as a coalition of the Serbian Progressive Party and the Socialist Party of Serbia, headed by Ivica Dačić, who continues to serve as First Deputy Prime Minister and Minister for Foreign Affairs. The new Government reiterated its commitment to intensifying dialogue with Pristina, supporting the establishment of the Association Community of Serb-majority municipalities and continuing to provide social and other support and services to Kosovo Serbs through the Serbian institutions in Serb-majority areas.

11. On 21 September, in the Serb-majority community of Gračanica/Graçanicë, Kosovo police attempted to cut short a visit to Kosovo by the Director of the Government of Serbia Office for Kosovo and Metohija, Marko Djurić, alleging that he had breached an agreement not to politicize his visits. Some 200 local Kosovo Serbs mobilized to prevent the police from executing their orders, with the result that Mr. Djurić proceeded with the visit. Subsequently, the Kosovo authorities rejected a request for Mr. Djurić to visit Kosovo on 24 September.

12. On 26 September, the director of the Kosovo police for the Mitrovica South region, Nehat Thaçi, was arrested by Serbian authorities at the Gate 5 crossing point on the basis of a warrant issued in 2010 by the Higher Court in Niš. According to the Ministry of the Interior of Serbia, his alleged crimes included acts of terrorism and genocide committed in Kosovo in July 1999. Following the arrest, Ms. Tahiri requested the European Union to facilitate Mr. Thaçi's release, while also requesting Serbia to respect the spirit of dialogue and normalization of relations.

13. As part of its operational mandate to provide reserve capacity for the European Union Force Althea in Bosnia and Herzegovina, KFOR participated in the military training exercise "Quick Response 2016" from 28 September to 6 October. KFOR elements, comprising a reinforced company, for the first time practised a rapid redeployment from Kosovo to Bosnia and Herzegovina.

14. The protracted political crisis in the former Yugoslav Republic of Macedonia continued to have some indirect effects on Kosovo. The ongoing trial of 37 members and accomplices of an ethnic Albanian group who were alleged to have been involved in an exchange of fire with former Yugoslav Republic of Macedonia

police in Kumanovo in May 2015, of whom 17 are from Kosovo, remains a potential inducer of inter-ethnic tension on both sides of the border.

15. During the reporting period, migrants and refugees from the Middle East, Africa and Central Asia continued to use routes through the Balkan region, a phenomenon that continued to pose significant humanitarian and security challenges. In Kosovo, the Office of the United Nations High Commissioner for Refugees (UNHCR) recorded a year-to-date total of 170 asylum requests submitted, with 15 applicants remaining in Kosovo as at the end of September.

III. Northern Kosovo

16. On 30 August, the Kosovo minister in charge of the technical dialogue between Belgrade and Pristina, Edita Tahiri, accompanied by the mayor of South Mitrovica, inspected construction work at the Mitrovica main bridge then continued across to North Mitrovica, where she visited a cafe. The following night, the cafe was set on fire by unknown persons, resulting in significant material damage.

17. Compared with the previous reporting period, cooperation improved between the municipalities in northern Kosovo and Pristina-based ministries, in particular concerning municipal finance. An amendment to the Law on Local Government Finance, which established contingency grants for municipalities with a population under 22,000, provided increased funding for the municipalities of Leposavić/Leposaviq, Zubin Potok and Zvečan/Zveçan. Northern Kosovo was increasingly able to draw benefit from the development fund made up from duties collected at the Jarinje/Rudnica and Brnjak/Tabalije crossing points. In total, more than €7 million has been allocated from the fund, including over €1 million in July and August for infrastructure projects.

IV. Normalization of relations between Belgrade and Pristina

18. The implementation of the agreements reached within the framework of the European Union-facilitated dialogue continued to be relatively slow. Both parties, however, gave signals of a commitment to move forward, including on creating the Association/Community of Serb-majority municipalities in Kosovo. Two new members were appointed to the management team tasked with drafting the statute of the Association/Community. Tangible progress was achieved under the 2011 agreement on freedom of movement, with the rationalization of vehicle registration plates being further negotiated ahead of the expiration in November 2016 of the initial agreement. The office of the European Union High Representative for Foreign Affairs and Security Policy announced on 14 September that the technical teams had agreed on a reciprocity mechanism to enable vehicles to move more easily in both directions.

19. Concerning the implementation of the agreement on integration of the Kosovo judiciary, formal selections had been completed for the remaining six prosecutors and 14 judges moving from the Serbian to the Kosovo judicial system. As at the end of the reporting period, their appointments remained pending. A possible setback emerged following reactions to the adoption by the Assembly of Kosovo of the law

on the Trepca complex (see paras. 8 and 9 above). On 9 October, the President of the Mitrovica High Court announced that Serbian judges, prosecutors and judicial staff, in protest against the action of the Assembly on Trepca, might suspend further participation in the judicial integration process. Hiring processes for court and prosecution support staff continued, along with the renovation of some court premises. The independent commission established to verify diplomas issued by the university in North Mitrovica issued 27 certificates of validity, making applicants holding such degrees eligible for employment in the Kosovo institutions.

20. On 5 August, a new understanding was reached between the parties on implementing the agreement of 25 August 2015 on the redevelopment of the main bridge in Mitrovica, overcoming an impasse that had significantly delayed the start of the work. The European Union contractor began rehabilitation work on 14 August, with the bridge now scheduled to open by January 2017. Associated work on part of a main street in North Mitrovica adjacent to the bridge also began in September.

21. Extensive technical-level discussions on implementation of the action plan for telecommunications in Kosovo have not yet produced agreement on the final details of implementation.

V. Returns, reconciliation, cultural heritage and community relations

22. On 21 July, the President of Kosovo, Hashim Thaçi, paid his respects at the memorial commemorating 14 Kosovo Serb civilians from Staro Gradsko who had been murdered in that village on 23 July 1999, shortly after the end of the conflict. A few days later, he visited another memorial to two teenagers who had been murdered in the village of Gorazhdevac in 2003, in an unsolved crime against Kosovo Serbs. Leading by example helps to change attitudes in wider context and gives optimism for the potential for reconciliation to succeed at the social level.

23. I commend efforts made at the municipal level to employ members of non-majority communities in local governance institutions. Furthermore, I welcome the implementation by local authorities of more than 10 infrastructure projects in multi-ethnic and minority community areas, including paving roads and upgrading drinking water supply and sewerage systems.

24. As at the end of September 2016, UNHCR had recorded a year-to-date total of 276 voluntary returns to Kosovo, including 156 Kosovo Serbs and 79 Kosovo Roma, Ashkali and Egyptians. The total number of voluntary returns by members of non-majority communities since 2000 stood at 25,772 individuals. UNHCR estimates that, at the end of September 2016, the total number of internally displaced persons living in Kosovo stood at 16,704. Of those, 468 resided in 29 collective shelters. The total number of internally displaced persons fell by 10 compared with the previous quarter.

25. A total of 69 security incidents affecting minorities were recorded, compared with 94 during the previous reporting period. Reported incidents include physical assault, verbal threats, robberies targeting returnees and vandalism of residential

properties. Incidents were reported throughout Kosovo, including in Istog/Istok, Klinë/Klina, Lipjan/Lipljan, Mitrovica/Mitrovicë, Pejë/Peć, Rahovec/Orahovac, Suhareka/Suva Reka and Vushtrri/Vučitrn.

26. During August, the Deçan/Dečani municipality suspended all cooperation with the Serbian Orthodox monastery Visoki Dečani after negotiations failed on the potential use of a mineral water spring located within its special protective zone. Meanwhile, the municipality had yet to implement the decision of the Kosovo Constitutional Court of 20 May 2016 in favour of the monastery in the long-standing dispute regarding land in the vicinity of the monastery.

27. Most visits to religious and cultural sites in Kosovo took place without incident. On 28 August, however, 150 displaced Kosovo Serbs were prevented from participating in a religious ceremony at the site of the destroyed Serbian Orthodox church of the Holy Virgin near the village of Mushtishtë/Mušutište by some 150 Kosovo Albanian residents of the village. When Kosovo police officers attempted to clear the road, protesters threw stones at them, resulting in three protesters and six police officers sustaining injuries. Twenty-five protesters were arrested. It should be recalled that, in June, the working group on the return of displaced persons to the village had approved a list of 10 Kosovo Serbs as beneficiaries of the fourth phase of the European Union Return and Reintegration in Kosovo housing project. In that regard, the Kosovo Minister for Communities and Returns, Dalibor Jevtić, expressed concern about the negative impact of the incident on the potential for returns to Mushtishtë/Mušutište.

28. Following an arson attack inside the unfinished but consecrated Serbian Orthodox church of Christ the Saviour located on the University of Pristina campus, the Pristina parish organized the cleaning of the site, which was halted by order of inspectors from Pristina municipality. On 16 September, around 50 university students staged a protest and clashed with the Kosovo police at the site of the church, resulting in four protesters being detained and one police officer injured. The following day, students staged another peaceful protest, with support from the university administration.

VI. Human rights and the rule of law

29. During a regular session of the Joint Working Group on Missing Persons, on 2 September, the Belgrade and Pristina delegations agreed to establish an analysis team in support of the sub-working group on forensic issues. Meanwhile, the International Committee of the Red Cross continued to facilitate meetings of the working groups for victims' families. Nonetheless, the number of unresolved cases of missing persons stagnated at 1,664. UNMIK, as a member of the Pristina delegation, attended the excavation on 27 July in the vicinity of the Serbian Orthodox church of Christ the Saviour located on the University of Pristina campus. The excavation yielded no findings.

30. On 4 August, the Assembly of Kosovo approved the 10 recommendations on protection against domestic violence made by the Commission on Human Rights, Gender Equality, Missing Persons and Petitions, including the establishment of a regular budget line for the provision of services to victims of domestic violence and

the appointment of a special judge to treat cases of domestic violence. In a related development on 10 August, the government of Kosovo established a committee for crime victim compensation, with responsibility for reviewing and deciding on claims for compensation submitted by victims of crimes.

31. Witness protection in trials for crimes committed in Kosovo during the 1998-1999 conflict remains a source of concern. On 5 September, the Belgrade Special Court postponed for a second time the retrial of former members of the Yugoslav Army 177th Intervention Squad for murders committed near Pejë/Peć in April and May 1999, because witnesses from Kosovo declined to travel to Serbia. The defendants had been initially convicted and sentenced to 106 years in jail, but the Appellate Court had reversed the verdict in February and ordered a retrial.

32. The Special Prosecution Office in Kosovo filed indictments for a range of terrorism-related offences, including an attempt to join Islamic State in Iraq and the Levant in Iraq and the Syrian Arab Republic, involvement in activities with the Nusrah Front in the Syrian Arab Republic and money-laundering and financing of terrorism. On 15 September, indictments were filed against four imams and the leader of a small political party for inciting national, racial, religious or ethnic hatred, discord or intolerance. On 23 September, the Basic Court of Ferizaj/Uroševac sentenced an individual to five years' imprisonment for recruitment to terrorism.

33. A number of investigations and prosecutions of officials accused of abuse of position have been undertaken. In one high-profile criminal case, a former parliamentarian of the Democratic Party of Kosovo and General Commander of the Kosovo Liberation Army headquarters, Azem Syla, was initially arrested on 30 April on suspicion of leading a criminal group responsible for money-laundering, bribery and illegal expropriation of public property. He was released from custody on 25 August upon the expiry of the remand period, but rearrested under a EULEX judicial order on 23 September for allegedly tampering with a protected witness.

34. In another high-profile case, on 2 August the Chief State Prosecutor opened an investigation against the former caucus leader of the Democratic Party of Kosovo, Adem Grabovci, for abusing his official position. The move was prompted by the publication of wiretapped telephone conversations in which he appeared to be peddling influence. On 12 August, the Pristina Basic Court rejected his request to prevent the continued publication of the conversations. On 4 October, the investigation was extended to include another seven public officials.

35. On 8 August, a EULEX judicial panel at Mitrovica Basic Court convicted a former high-ranking member of the Kosovo Liberation Army, Xhemshit Krasniqi, of war crimes against civilians for offences committed in 1999, including illegal detention and torture. He was sentenced to eight years' imprisonment.

36. A team from the global focal point for police, justice and corrections in the rule of law in post-conflict and other crisis situations deployed to Kosovo from 15 to 23 September. The team comprised experts from the Department of Peacekeeping Operations, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme, the United Nations Office on Drugs and Crime and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

37. The Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, visited Kosovo from 13 to 16 September to assess progress made on his recommendations of 2014. He visited displaced persons in Pristina, North Mitrovica, Zvečan/Zveçan, Obilić/Obiliq and Gračanica/Graçanicë and called for bold efforts to unlock protracted displacement. He expressed concern that many displaced persons were still living in substandard conditions and about the illegal occupation of properties.

38. From 3 to 14 October, the Special Rapporteur in the field of cultural rights, Karima Bennoune, conducted her first visit to Serbia and Kosovo to assess efforts to implement the right of all persons to participate in cultural life without discrimination and to access and enjoy cultural heritage. At the end of her visit to Kosovo, she expressed concern about the high level of politicization of cultural heritage in Kosovo and invited all sides to stop denying or minimizing the value of cultural heritage of the other communities.

39. The UNMIK Human Rights Advisory Panel closed its operation and published its final report. My Special Representative, and Head of UNMIK, Zahir Tanin, welcomed the publication of the report and expressed appreciation for the work of the Panel. The focus of effort now shifts towards the drawing of lessons learned from the Panel's important work.

VII. Partnerships and cooperation

40. As part of efforts to ensure continued United Nations engagement, my Special Representative held a series of substantive meetings in Pristina with the President, the Prime Minister and the Kosovo Minister for Foreign Affairs, Enver Hoxhaj, and in Belgrade with the President of Serbia, Tomislav Nikolić, the Prime Minister and the First Deputy Prime Minister and Minister for Foreign Affairs, Ivica Dačić. Those meetings included exploration of various means to channel United Nations support in furtherance of the mandate of UNMIK.

41. UNMIK continued to provide document certification services. A total of 407 documents were processed during the reporting period, comprising 135 civil status documents, 212 pension documents, 20 school attendance documents, 12 transcripts of records and 28 high school diplomas. The Mission also continued to facilitate communications between the Kosovo authorities and the International Criminal Police Organization (INTERPOL) and its member States. UNMIK received 11 requests seeking the issuance of international wanted notices. In addition, it processed nine new requests from the Kosovo police and the Serbian Ministry of the Interior regarding verification of documents and assistance in criminal investigations.

42. In July, UN-Women issued a report[1] advocating that comprehensive reparations be made for conflict-related sexual violence in Kosovo. By focusing in the report on the need to bring survivors' voices and perspectives to the forefront of future policy and development programme design, UN-Women aims to complement

[1] Available from www.unwomen.org/en/digital-library/publications/2016/8/the-conflict-did-not-bring-us-flowers#view.

existing initiatives upholding the right to reparation for survivors of conflict-related sexual violence.

43. The World Bank issued its second biannual Southeast Europe Regular Economic Report, entitled "Resilient growth amid rising risks".[2] It predicts that Kosovo will have a 3.6 per cent growth in gross domestic product in 2016, slightly down from 3.9 per cent in 2015, which nonetheless compares favourably with other economies in the region. The unemployment rate remains the highest in the region, at 33 per cent, with long-term unemployment making up two thirds of that figure.

VIII. Observations

44. The many remaining challenges notwithstanding, I remain impressed by the overall economic and political progress that has been achieved since the end of the conflict and by the far-sightedness of those from each side who have moved beyond the conflict in order to focus on building a more prosperous future. In this, they have worked closely with the international community, and I am especially proud of the contributions made by the United Nations. Furthermore, I welcome the recent more constructive engagement with my Special Representative by political leaders in Kosovo, which directly contributes to the wider goals shared by all.

45. Naturally, disagreement and divisions persist in Kosovo, and voices of genuine dissent and dissatisfaction need to be heard. I am concerned that, too often, legitimate public concerns are being exploited by politicians for their own interests. The protracted political stalemate over the agreement on territorial delineation with Montenegro has obscured the real issues and may also prove to be a damaging distraction from more urgent challenges and opportunities. With regard to the adoption of laws on issues that are sensitive to important stakeholders, I urge more careful consultation and dialogue, with special focus on ensuring that minority communities are involved in decisions that affect their lives and livelihoods. I also urge the Kosovo authorities to refrain from taking any steps or decisions that could hinder progress in the European Union-facilitated dialogue between Belgrade and Pristina.

46. While I have welcomed the impressive progress achieved in the normalization of relations between Pristina and Belgrade through the European Union-facilitated dialogue, I am disconcerted by the delayed rate of implementation of some important agreements. As has been expressed by leaders on both sides, there is no practical alternative to dialogue in order to achieve the normalization of relations. I call upon those engaged at all levels to resist the temptation of public posturing and provocation, but instead engage with one another in a responsible manner, seeking fair and lasting compromises. I also remind political leaders in Belgrade and Pristina of their own responsibility to resume the high-level dialogue without delay and with the courage and political will that are needed to overcome remaining obstacles and ensure full implementation of all agreements reached thus far.

[2] Available from www.worldbank.org/en/region/eca/publication/south-east-europe-regular-economic-report

47. I regret the continuing low rate of returns to many parts of Kosovo. Stronger efforts are required to build confidence and trust between returning and receiving communities and to provide credible guarantees of physical security, non-discrimination and educational and economic opportunities for returnees. Religious tolerance and respect for the traditions of others are also important prerequisites for reconciliation and for sustainable returns. Kosovo has a long-standing tradition of diversity and religious tolerance that needs to be recovered after the scars of the war.

48. As part of Europe, the western Balkans are facing emerging challenges, and close regional cooperation is a decisive prerequisite to successfully meeting them. Divisive rhetoric undermines regional progress at a time when those in the region can least afford it. In particular, I call upon those in the highest positions of leadership to focus on uniting efforts to meet shared challenges rather than looking to apportion blame and inflame tendencies to division.

49. I once again express my sincere gratitude to my Special Representative, Zahir Tanin, for his leadership of the Mission and his efforts to strengthen cooperation among all sides and to promote overall security and stability. Furthermore, I commend the staff of UNMIK for their commitment and efforts, especially in facilitating effective engagement among and between key stakeholders.

50. I conclude by extending my gratitude to the long-standing partners of the United Nations in Kosovo, including KFOR, the North Atlantic Treaty Organization, the European Union and OSCE, and to the United Nations agencies, funds and programmes for their support for and cooperation with UNMIK.

Annex I

Report of the European Union High Representative for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo from 16 July to 15 October 2016

1. Summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued its monitoring, mentoring and advising activities, and to implement its executive functions in line with its rule of law mandate. The reconfiguration process of the Mission continued throughout the reporting period.

A number of verdicts were pronounced in cases concerning war crimes, organized crime, corruption and other serious crimes. The Mitrovica Basic Court sentenced one defendant for war crimes against the civilian population and other charges. The Ferizaj/Uroševac Basic Court sentenced one defendant for trading in influence, extortion and unlawful possession of a firearm. The Pristina Basic Court acquitted seven defendants in the 2007 case relating to an explosion on Bill Clinton Boulevard in Pristina (the "Clinton Bombing 2"). The Court of Appeals acquitted three defendants in a case relating to the Ministry of Trade and Industry. The Mitrovica Basic Court reopened the main trial against two defendants who had been indicted for charges relating to the murder of a Kosovo police officer in 2011, following a judgment by the Court of Appeals.

The Mission monitored and advised the Kosovo police in relation to several events, including the commencement of the reconstruction of the main bridge in Mitrovica. EULEX facilitated a regional conference of police directors general in Skopje with the aim of intensifying cooperation and harmonizing actions against terrorism and organized crime. The Mission continued to advise the Kosovo Correctional Service against preferential treatment of high-profile prisoners. EULEX maintained its support for the Kosovo Judicial and Prosecutorial Councils, which achieved only limited progress regarding the amended package of laws on the judiciary.

There was progress in the implementation of the agreements from the European Union-facilitated dialogue between Belgrade and Pristina. The parties agreed on further modalities for the implementation of the agreement on freedom of movement regarding vehicle licence plates. The integration of former administrative staff from the Serbian Ministry of Interior into Kosovo structures proceeded. The selection of all judges, prosecutors and support staff within the framework of justice integration was concluded, while the appointments were yet to be made.

The Mission commemorated the anniversary of the death of the EULEX customs officer, Audrius Šenavičius, who was killed in the line of duty in northern Kosovo in September 2013.

2. EULEX activities

2.1 Executive

War crimes

On 8 August, a panel of EULEX judges at the Mitrovica Basic Court sentenced a defendant to an aggregate punishment of eight years' imprisonment and a fine of €1,500 for war crimes against the civilian population and unauthorized ownership, control and possession or use of weapons. The defendant had been found guilty of illegal detention, violation of bodily integrity and health and torture of several witnesses and unknown civilians in the Kosovo Liberation Army camps in Kukës and Cahan, Albania, and in Prizren, Kosovo, in 1999. The accused had carried out his actions together with other Kosovo Liberation Army members.

Organized crime and corruption

In July, a panel of one local judge and two EULEX judges at the Court of Appeals granted the appeals of three defendants against the judgment of the Pristina Basic Court of 21 September 2015 in a case relating to the Ministry of Trade and Industry. The panel acquitted the defendants of all charges, namely abuse of official position or authority committed in co-perpetration. It also partially granted the appeal of the fourth defendant and modified the judgment by sentencing him to a suspended prison sentence of 18 months for abuse of official position or authority, while the remainder of the judgment was confirmed.

On 4 August, a panel of one local judge and two EULEX judges at the Ferizaj/Uroševac Basic Court sentenced a defendant to an aggregate sentence of four years' imprisonment and a fine of €1,500 for trading in influence, extortion and unlawful possession of a firearm. The defendant was ordered to make restitution of the extorted sum of €25,000 euros by 31 December 2017.

On 26 August, a EULEX prosecutor at the Kosovo Special Prosecution Office filed an indictment against three defendants accused of accepting and giving bribes and trading in influence from 2011 to 2013 with the aim of obtaining the release from prison of convicted persons or a reduction in their sentence for criminal offences for which they had been convicted.

On 1 September, a panel of EULEX judges at the Mitrovica Basic Court opened the main trial against a defendant charged with the unauthorized purchase, possession, distribution and sale of dangerous narcotics.

On 29 September, a pretrial panel of one local judge and three EULEX judges at the Pristina Basic Court concluded the special investigative opportunity hearings in a case relating to the usurpation of socially owned land involving nine defendants thus far.

Other serious crimes

On 29 July, a panel of one local judge and two EULEX judges at the Pristina Basic Court acquitted seven defendants who had been charged with aggravated murder, attempted aggravated murder and causing general danger. The charges were related to

an explosion on Bill Clinton Boulevard in Pristina in September 2007 in which two people had been killed and several others injured (the "Clinton Bombing 2").

On 4 August, a panel of one local judge and two EULEX judges at the Court of Appeals partially granted the prosecutor's appeal against the judgment of the Mitrovica Basic Court of 10 December 2015 relating to a defendant in the "Zymberi 2" case. The case was related to an attack on a police convoy in Zubin Potok in 2011, in which a Kosovo police officer had been killed. The suspended prison sentence was extended from six months to one year, and the underlining offence of "obstructing official persons in performing official duties" was changed to "participation in a group obstructing official persons in performing official duties". On 7 September, a panel of EULEX judges at the Mitrovica Basic Court opened the main trial against two other defendants who had been indicted on charges relating to the same case (the "Zymberi 1" case). On 29 April, the Court of Appeals had granted the prosecutor's appeal against the acquittal of the defendants in 2015 and had returned the case for retrial at the basic court level.

On 19 September, EULEX commemorated the anniversary of the death of the EULEX customs officer, Audrius Šenavičius, who was killed in the line of duty in northern Kosovo in September 2013. At a press conference in Mitrovica North, EULEX announced an increased reward of €82,000 for any information leading to the arrest and prosecution of the perpetrator or perpetrators.

Specialist Chambers and Specialist Prosecutor's Office

On 1 September, the Chief Prosecutor of the newly created Kosovo Specialist Prosecutor's Office was appointed, marking the formal transition from the European Union Special Investigative Task Force. The Host State Agreement, allowing for judicial activity by the Specialist Chambers, had passed through the House of Representatives of the Netherlands and was pending the approval of the Senate. The Chambers continue to press forward on all other activities in The Hague under the authority of the Interim Host State Agreement signed with the Netherlands.

Significant steps have been taken to make the Specialist Chambers fully operational. A call for contributions for Registry and Specialist Prosecutor's Office staff closed on 9 September. Moreover, a call for nominations for the position of President of the Specialist Chambers and for the roster of international judges also closed on the same date.

In furtherance of transparent communication with the media and the public, the Specialist Chambers and Specialist Prosecutor's Office held their first press conferences on 15 September. Their official websites were launched on the same day.

The Registrar of the Specialist Chambers visited Kosovo in September where she met the Kosovo Minister of Justice.

Institute of Forensic Medicine

EULEX forensic experts at the Kosovo Institute of Forensic Medicine handed over 12 sets of remains, conducted four exhumations and identified the remains of one missing person. Furthermore, they carried out site assessments at the Pristina

University campus in Zubin Potok and Prizren and continued the site assessment at Kiževak in the Rudnica mining complex in Serbia. A working group tasked with drafting a strategy and an action plan in forensic medicine was set up within the Institute of Forensic Medicine.

Property rights

The Kosovo Property Agency Appeals Panel received 6 new appeals and adjudicated 41 appeals, while 278 appeals were pending a decision of the Panel.

The Special Chamber of the Supreme Court for privatization matters rendered 395 decisions in first-instance trial panel cases and finalized 45 cases at the appellate panel level.

Integration of the judiciary

Within the framework of the implementation of the European Union-facilitated dialogue, the integration of the judiciary progressed as the Kosovo Judicial Council and the Kosovo Prosecutorial Council together with EULEX finalized all interviews of candidates for judges, prosecutors and support staff. Judges and prosecutors had yet to be appointed. Construction work at the Basic Prosecution Office building had been completed.

Executive police

On 10 August, the first joint Kosovo police-EULEX foot patrol to enhance community policing was conducted in the town of Zubin Potok and was well received by the local population. Joint foot patrols were to be conducted in parallel with the joint green-border patrols carried out by EULEX and Kosovo border police in northern Kosovo.

On 30 September, EULEX provided joint training on crowd and riot control to the quick response teams of Regional Police Directorates Mitrovica North and Mitrovica South, which included training in mixed units and the use of gas masks. The training showed the capability of both regional directorates to work together to respond to crowd and riot control incidents.

2.2 Strengthening

EULEX held various meetings with the Prime Minister, the Minister of Finance and the Director General of Kosovo Customs regarding the forthcoming merger of Kosovo customs with the tax administration of Kosovo.

The Kosovo Judicial Council and the Kosovo Prosecutorial Council needed to achieve further progress in adopting and implementing regulations that had been included in the amended package of laws on the judiciary. Of the 38 sublegal acts to be completed and adopted, only 21 regulations had been adopted by both Councils as at the end of September.

EULEX began its monitoring through the chain of criminal justice of cases that were to be handed over to the Kosovo authorities as a result of the change of the EULEX mandate. Cooperation with Kosovo officials had been satisfactory. In the context of its work with the Police Inspectorate of Kosovo, EULEX also began

to monitor criminal cases filed against police officers in 2014 to analyse process performance since the initial indictment.

There was progress in the implementation of the agreements from the European Union-facilitated dialogue between Belgrade and Pristina. In September, an agreement on the further implementation of the Freedom of Movement Agreement was reached between Belgrade and Pristina regarding the use of vehicle licence plates.

To deal with licence-plate registration, the remaining administrative staff of the former Serbian Ministry of the Interior needed to take up their new positions in the municipal civil status offices in northern Kosovo. As at 1 September, the first batch of 32 former Serbian Ministry of Interior administrative staff members had begun work at the Civil Registration Agency, receiving on-the-job training at the premises of the former Mitrovica North Administrative Office.

Cooperation between Pristina and Belgrade through their regular meetings on integrated border management was very constructive. Veterinary and phytosanitary issues were discussed in addition to the ordinary day-to-day cooperation.

EULEX continued to advise the Kosovo Correctional Service on adequate treatment of high-profile prisoners. Progress was achieved, given that in August the Ministry of Justice revoked all cases of suspension of sentence on medical grounds; all inmates returned to prison. Remedies included proper categorization of inmates and preparation of case files for inmates who had overstayed their temporary suspensions of sentence for medical reasons. The Mission monitored all Kosovo Correctional Service escorts of high-profile prisoners to the University Clinical Center of Kosovo and made several recommendations on how to improve the efficiency of escorts. EULEX advised the Kosovo Correctional Service to conduct large-scale searches of prison facilities on a more regular basis.

In August, EULEX monitored and advised the Kosovo police on the planning and operations concerning the Prizren Dokufest and a charity concert by Dua Lipa. The Mission also monitored the work of the Kosovo police during the beginning of the revitalization work at the Mitrovica main bridge, encouraging cooperation between the Mitrovica North and Mitrovica South regional police departments in developing a joint preventive response plan. The central Kosovo police specialized unit proved once again its ability to adequately police major events. However, regional-level police units still needed the support of the Mission to improve their planning ahead of and during such major police operations. In relation to Kosovo joining the Fédération internationale de football association and the Union of European Football Associations, the Mission produced guidelines for the Kosovo police in its relations with the Kosovo Football Federation regarding the policing of international football matches. The Mission continued to advise the Kosovo police on appropriate minority and gender representation.

From 8 to 10 September, EULEX facilitated a regional conference in Skopje of directors general of police services. Representatives of Kosovo, the former Yugoslav Republic of Macedonia, Albania and Serbia discussed how to intensify cooperation and the exchange of information and how to harmonize actions against terrorism and organized crime.

As one of the main stakeholders in a capacity-building project funded by the United Nations Development Programme and the European Union Office in Kosovo, EULEX supported the Religious and Cultural Heritage Unit of the Kosovo police in its efforts to increase capacities and capabilities in the protection of cultural heritage sites in selected municipalities. Cooperation with the stakeholders progressed well. In September, an assessment was conducted on the issue of improved closed-circuit television monitoring of certain religious sites.

Annex II

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo

(as at 15 October 2016)

Country	*Number*
Austria	1
Bulgaria	1
Germany	1
Hungary	1
Italy	1
Russian Federation	1
Total	**6**

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo

(as at 15 October 2016)

Country	*Number*
Czechia	2
Poland	1
Republic of Moldova	1
Romania	1
Turkey	1
Ukraine	2
Total	**8**

UNMIK
October 2016
Operational boundary
International boundary
National capital
Republic capital or provincial capital
Town, village
Mountain pass
Major road
Secondary road
Railroad
0 5 10 15 20 25 km
0 5 10 15 m
SERBIA
MONTENEGRO
Kosovo
ALBANIA
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA
HQ Regional
MLT North
HQ UNMIK
HQ MLC
Pristina
Skopje
Brodec
Kamenjane
Selce
Tetovo
Dorge Petrov
Tropoje
Bajram Curri
Lek Bibaj
Zapod
Kruse
Velika Kruse
Vrapsele
Gostivar
Tatarovce
Komorovo
Dragas
Dracevo
UNMIK HQ
Military Liaison Component HQ
Military Liaison Team
UNMIK perimeter of operations
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

United Nations S/2016/902

Security Council

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Letter dated 26 October 2016 from the Secretary-General addressed to the President of the Security Council

The present letter describes the events surrounding the plebiscite of 2 October 2016 in Colombia, the decisions taken since by the Government of Colombia and the Revolutionary Armed Forces of Colombia — People's Army (FARC-EP) and my recommendations with regard to the United Nations Mission in Colombia, consistent with resolutions 2261 (2016) and 2307 (2016). I plan to present my first progress report on the activities of the Mission by 26 December 2016, at the conclusion of the initial 90 days of its 12-month mandate.

Recent developments

On 26 September 2016, following four years of peace talks in Havana, the President of Colombia and the leader of FARC-EP signed, in Cartagena, Colombia, the Final Agreement for the Termination of the Conflict and the Construction of a Stable and Lasting Peace. One of the provisions of the Final Agreement was that its entry into force would be subject to a plebiscite to be conducted in accordance with modalities decided by the Constitutional Court of Colombia.

The plebiscite was held one week later, on 2 October 2016, following a one-month campaign, which, although fiercely disputed, was one of the most peaceful in the country's history. The rate of participation was very low, at 37 per cent. The "no" vote prevailed by a very small margin of 54,000 votes, or 0.15 per cent of registered voters. While the "yes" vote prevailed in many rural areas where the conflict had been most intense, the "no" vote carried the day in many cities, with the exception of Bogota, Barranquilla and Cali.

In accordance with the decision of the Constitutional Court, the outcome of the plebiscite made it legally impossible for the President to implement the Final Agreement. The Final Agreement included the Agreement on the Bilateral and Definitive Ceasefire and Cessation of Hostilities and the Laying Down of Arms, which was concluded on 23 June 2016 and whose provisions were described in my letter to the Security Council of 22 July 2016 (S/2016/643) and, in greater detail, in my report of 18 August 2016 (S/2016/729). At the same time, the Court reaffirmed the President's constitutional responsibility regarding the maintenance of public order, including negotiations with armed groups.

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Acting under his constitutional authority, on 29 August 2016, the President declared, simultaneously with FARC-EP, a definitive bilateral ceasefire and cessation of hostilities. The bilateral ceasefire and the preceding unilateral ceasefire by FARC-EP, in place since 2015, continued to hold with a very low number of incidents during the previous months as both sides and the Mission were preparing for the implementation of the provisions of the Agreement on the Ceasefire and the Laying Down of Arms. As I informed the Council in my report of 18 August, those preparations included the drafting of a number of protocols concerning the rules of the ceasefire, the functioning of a tripartite mechanism to verify the ceasefire, and the security of the members of the mechanism. The preparations also included working with the Government on the deployment of the tripartite mechanism at the national and regional levels, visiting prospective local sites, and outreach by the Mission to local communities to explain the ceasefire and the Mission's mandate.

On the afternoon of 2 October 2016, as the results of the plebiscite emerged and concerns mounted that the "no" vote could lead to a resumption of hostilities, the President of Colombia, Juan Manuel Santos Calderón, and the leader of FARC-EP, Timoleón Jiménez, reiterated the full commitment of both parties to the definitive bilateral ceasefire and cessation of hostilities in force since 29 August 2016.

Joint communiqué of 7 October 2016

On 3 October 2016, the heads of the peace negotiating teams of the Government and FARC-EP met in Havana to discuss the way forward. Their discussions resulted in a joint communiqué issued on 7 October in which the following actions were outlined: a government-led political dialogue with "no" supporters and the citizenry at large that could lead the parties to make adjustments to the Final Agreement; the design of a temporary protocol aimed at consolidating the ceasefire by establishing a clear separation of forces, rules of behaviour and the application of the tripartite mechanism referred to in resolution 2261 (2016) to consolidate the definitive bilateral ceasefire and cessation of hostilities and guarantee the security of both sides and the protection of communities in the conflict areas; and the continuation of a series of confidence-building measures that had been put in place in the course of the past year, such as humanitarian demining, crop substitution, the separation of minors from the FARC-EP ranks and the search for disappeared persons, among others.

In the same communiqué, the two parties requested the Secretary-General, and through him, the Security Council, to authorize the Mission to verify the future ceasefire protocol, as the coordinator of the tripartite mechanism. The functions fulfilled by the Mission in relation to the ceasefire protocol would be identical in nature to the functions conferred upon the Mission by resolution 2261 (2016), except for the verification of the laying down of arms by FARC-EP, which would be postponed until the successful conclusion of the political dialogue and the adoption of a new Final Agreement.

In the wake of the plebiscite, the leaders of the opposition to the Final Agreement stressed their own commitment to the achievement of peace, the paramount need to preserve the ceasefire and their support for its international verification by the Mission. President Santos initiated dialogue with groups and individuals who supported the Final Agreement and those who opposed it, including

the former President and current Senator Álvaro Uribe. At the same time, numerous peaceful demonstrations, in particular by students and young people, took place in several cities and towns in Colombia, at which participants called for the termination of the conflict and the immediate conclusion of a peace agreement. At the time of writing, most of the proposals from the leaders of the opposition had been formally tabled, and the Government had taken to Havana a package of reforms for discussion with FARC-EP. It should be noted that, while opposition leaders have directed their criticism at many of the provisions of the Final Agreement, they have not challenged the Agreement on the Ceasefire and the Laying Down of Arms or its verification by a tripartite monitoring and verification mechanism with the participation of government and FARC-EP observers and coordinated by the Mission.

Ceasefire protocol of 13 October 2016

On 13 October 2016, the two parties finalized the ceasefire protocol, with the participation of the Mission, and signed it. On 20 October, a presidential decree was issued to facilitate implementation of the protocol. What follows is a brief description of its main features and the tasks that its verification by the tripartite mechanism would entail. Those tasks are very similar to the recommended tasks described in paragraph 10 of my report of 18 August, which the Security Council authorized in its resolution 2307 (2016).

The protocol of 13 October 2016 defines a transitional separation of forces that is to serve as a bridge between the current situation, in which the deployment of FARC-EP structures is too dispersed throughout the country for the ceasefire to be reliably verified, and the separation of forces foreseen in the Agreement on the Ceasefire and the Laying Down of Arms. That Agreement provides for the eventual establishment of 27 local zones and points at which FARC-EP will ultimately gather its fighters and militias and the Mission will receive their weapons. Under that Agreement, the laying down of weapons is due to last 180 days.

The concept of separation of forces in the protocol of 13 October 2016 provides for the move by FARC-EP of its fighters and militias to between 50 and 60 temporary pre-grouping points that have yet to be finalized. The Army will redeploy its units so that there will be a minimum distance of 3 km between them and FARC-EP camps established at each temporary pre-grouping point. I should add that, under the protocol, the Government is responsible for providing logistical support to the temporary pre-grouping points. That will be a major factor in ensuring the sustainability of the ceasefire. During the first 30 days after the signing of the protocol, that responsibility will rest with FARC-EP.

Under the protocol, the two parties will observe the rules agreed upon on 5 August 2016 and referred to in paragraph 3 of my report of 18 August, including commitments to refrain from a series of acts that could lead to armed confrontation and to refrain from any violence or threat of violence that may put the civilian population at risk, in particular acts motivated by gender, and a commitment to the security of all members of the tripartite mechanism who will verify the agreement, including the Mission's observers.

The verification of the protocol will also follow along the lines indicated in my report of 18 August 2016. The Mission will be part of and coordinate the tripartite mechanism, with the participation of Government and FARC-EP observers. Since the issuance of my report, the mechanism has been established in Bogota and in six of its eight regional headquarters. Over the coming weeks, it will deploy to the remaining two regional headquarters and will initiate deployment to the 27 local headquarters.

The difference between the verification of the protocol of 13 October 2016 and the modalities for verification described in my report of 18 August lies in the fact that the temporary pre-grouping points and the Army units deployed in their vicinity are not adjacent to the 27 local headquarters of the monitoring and verification mechanism. Verification of the separation of forces and compliance with the ceasefire rules will therefore entail periodic visits from those local headquarters to areas whose size, including the temporary pre-grouping points, the 3 km-wide security zone and the areas of military unit operations, will be larger than initially envisaged.

The basic tasks of the Mission will be identical to those described in paragraph 10 of my report of 18 August 2016, namely: (a) organizing the operations of the mechanism, taking into account the coordination of tasks, threat analysis and logistical requirements; (b) monitoring the local sites and visiting the FARC-EP camps; (c) monitoring the security zones and visiting redeployed army units; and (d) visiting neighbouring population centres in order to interact with the local population and authorities. The last task is one of the key functions of the civilian component of the Mission at the local level.

The security of the members of the Mission will continue to be the responsibility of the Government of Colombia. The commitment of both the Government and FARC-EP to the security of the members of the Mission was reiterated in the joint communiqué of 7 October 2016, along with an invitation to countries that have contributed observers to continue deploying their men and women under the United Nations flag. The National Police of Colombia will continue to assume responsibility for the security of the monitoring and verification mechanism and the Mission at large. A special unit has been established for that purpose. The Department of Safety and Security will continue to provide operational support and advice relating to the Mission's security management system, policies and procedures, in close cooperation with the Colombian authorities.

To fulfil the tasks required for the verification of the protocol of 13 October 2016, the structure of the Mission will remain as described in paragraphs 16 to 32 of my report of 18 August and approved by the Security Council in its resolution 2307 (2016). Pending the entry into force of provisions regarding the laying down of arms by FARC-EP, about 400 observers will be required, which is less than the 450 initially foreseen, on the understanding that the additional 50 will be needed when the laying down of arms begins. The 400 observers will require increased logistical efforts as they will be covering a larger number of sites. Expenses relating to the laying down of arms will be deferred until that process begins. Overall, there is no anticipated increase in the resources required to implement activities under the protocol.

In addition, since the structure, composition and deployment of the tripartite mechanism remain the same, the recommendation in paragraph 36 of my report of 18 August 2016 relating to sharing the cost of activating and operating the mechanism, endorsed by the Security Council in its resolution 2307 (2016), stands. The support referred to in paragraph 2 of that resolution will be provided when the preparation of the zones and points for the laying down of arms by FARC-EP takes place.

Observations

The verification of the transitional separation of forces is viable from a technical standpoint. It is also viable because both sides are genuinely committed to it. It may come as a surprise that, in the middle of the political crisis that challenged the validity of the Final Agreement, the two parties, particularly FARC-EP, were able to agree so quickly to a separation of forces, which reflects a clear intention to bring the conflict to a definitive end. It also reflects the high level of confidence that has been built over the years of negotiations in Havana and the positive interaction in the field between the Armed Forces and FARC-EP. It also stems from a conviction shared by both sides that a return to conflict would be a worst-case outcome.

The determination not to return to conflict is not exclusive to the two sides. It has permeated the statements made by both opponents and supporters of the Agreement and the slogans of those who have marched peacefully through the streets of Colombia. If anything, the commitment to peace across the country has emerged stronger and more vocal from the plebiscite, thus strengthening the consensus around the presence of the Mission.

From that perspective, it is significant and promising that, following two years of exploratory talks, the Government and another armed group, the National Liberation Army (ELN), announced in the Bolivarian Republic of Venezuela on 10 October 2016 the formal start of their negotiations, with the public phase to begin in Quito on 27 October. Let me take this opportunity to congratulate Brazil, Chile, Cuba, Ecuador, Norway and Venezuela (Bolivarian Republic of) on assuming the responsibility to support this very important new process.

The parties have agreed that verification of the new separation of forces will begin in early November 2016, after the FARC-EP members of the monitoring and verification mechanism have completed their training as observers. At the time of writing, the Mission had deployed 152 observers in the capital, Bogota, and in eight regions. Given the level of logistical preparation, it can accommodate immediately another 68 observers. That will allow the Mission to initiate verification activities with six observers and civilian staff at each local headquarters. It will be important to quickly ramp up the Mission's capacity. I take this opportunity to reiterate my gratitude to the members of the Community of Latin American and Caribbean States and other countries that have made observers available to the Mission. Their continued support in the coming weeks will be critical.

As indicated earlier, the protocol of 13 October 2016 is meant to consolidate, including through international verification, the bilateral ceasefire and cessation of hostilities declared on 29 August by the Government of Colombia and FARC-EP. It

will apply pending the entry into force of the Agreement on the Ceasefire and the Laying Down of Arms, together with the Final Agreement, which both parties are committed to modifying, through political dialogue, to reflect the outcome of the 2 October plebiscite.

That political dialogue began in the wake of the plebiscite and is ongoing at the time of writing. The Government of Colombia and FARC-EP have stressed that their goal is a dynamic process leading to adjustments, clarifications or rectifications to the Final Agreement, followed by the entry into force of a new Agreement under modalities that maximize its legitimacy.

In discussions with the Government, FARC-EP and groups in Colombia that support or oppose the Final Agreement, the Mission has insisted on the need for the ceasefire to be underpinned by a robust political process leading to a broad-based agreement as soon as possible. I have emphasized to key leaders, both publicly and privately, the need to compromise to ensure that the peace accords gain support and that the peace process does not lose momentum, with the attendant risk that what has been patiently built over the years could unravel.

I recognize the challenges inherent in reaching consensus. Political wisdom on all sides will be required to overcome the divisions that have been brought into relief by the plebiscite.

Let me emphasize that, in the current context, the relevance of the United Nations Mission in Colombia has, if anything, increased. Its presence helps to foster popular confidence that, however complex the ongoing political dialogue may be, a point of no return has been reached in the search for peace in Colombia.

The Security Council has been unanimously and steadfastly supportive of the Colombia peace process. I recommend that it grant the request of the Government of Colombia and FARC-EP that the Mission be authorized to verify implementation of the ceasefire protocol signed on 13 October 2016. As I described in the preceding paragraphs, that request is fully consistent with the mandate defined in resolution 2261 (2016) and my recommendations on the Mission's structure, tasks and size approved in resolution 2307 (2016).

I should be grateful if the authorization would be granted as soon as possible so as to enable the Mission to obtain from the General Assembly without delay the resources it requires to meet the high expectations of Colombian society today.

(*Signed*) **BAN** Ki-moon

United Nations S/2016/903

Security Council

Distr.: General
2 November 2016

Original: English

Letter dated 26 October 2016 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to transmit herewith the observations of the Government of the Syrian Arab Republic regarding the fourth report of the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism (see annex).

It would be highly appreciated if the present letter and its annex could be issued as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

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Annex to the letter dated 26 October 2016 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

[Original: Arabic]

Observations of the Syrian Arab Republic regarding the fourth report of the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism

In the fourth report of the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism (S/2016/888), which was issued on 21 October 2016, another accusation is levelled against the Syrian Arab forces in relation to the incident that is alleged to have occurred in Qmenas on 16 March 2015. Having reviewed the report in a scientific and objective manner, we should like to make the following observations:

1. It is clear that the report is simply a copy of the Mechanism's third report; it does not contain any new information or material evidence. The only basis offered for the accusation is that the Mechanism has sufficient evidence to make the accusation. The Mechanism does not make clear what that evidence is, nor does it offer any information as to the source of that evidence, its credibility or how it came to be accepted.

2. The Mechanism did not offer an assessment and analysis of why the armed terrorist groups moved material evidence from one location to another, and why those groups photographed the incidents days after they had occurred, although the terrorists were in complete control of the areas under consideration.

3. When deciding to use any type of weapon, one must consider its utility, the effect it will produce and its effectiveness against the enemy. Although we lost a number of military bases and regions and governorates, we used only conventional weapons against the terrorists, regardless of the names of their organizations (some of which are designated internationally as being terrorist organizations). Why, then, would we use chemical weapons against civilians, and without any strategic objective in mind?

4. The Mechanism did not follow the method and approach to its work that is set out in paragraphs 7 and 8 of the report, wherein it indicated that its conclusions would be based on credible and reliable supporting evidence, as well as the key elements that the Mechanism would need to consider in each case (time, date, weather conditions, impact location, munition, damage and medical effects). However, none of that can be found in the report. The Mechanism, instead, relied solely on witness testimony, weather conditions, medical effects and impact locations and their coordinates, without there being any reliable material evidence at all.

5. The Mechanism should have collected proper samples and analysed them, in order to verify whether chlorine had been used as a weapon in the incident, instead of randomly making accusations against the Syrian Arab Army.

6. **Witnesses**

- The statements recorded by the leadership of the Mechanism lack credibility because they were made by persons who are either members of the armed terrorist groups or their sympathizers. In addition, it is not clear how the witnesses were selected and how the Mechanism was able to reach them and verify that they had been at the location of the incident.
- The report relied fundamentally on witness statements, which are considered to be one of the weakest forms of testimony if the identity of the witnesses has not been verified. This is particularly relevant because the Mechanism is not a judicial body (paragraph 6 of the report).
- The alleged incident occurred at night on 16 March 2015. The witnesses confirmed that they had seen a helicopter hovering and two devices being dropped from an altitude of greater than 1,000 metres (according to analysis attributed to a defence research institute). Accordingly, it would not have been possible to see the helicopter at night.
- In paragraph 20 of the fourth report, it stated that witnesses who were near the location of the alleged incident reported eye and skin irritation, and a feeling of suffocation and coughing. Those witnesses were not taken to hospital. Their testimony, according to the report, is consistent with that of persons who were taken to the Sarmin hospital. This demonstrates that the witnesses are not credible, because they would have been taken to hospital had they had a feeling of suffocation, lest they should die.

7. **Weather conditions**

- In paragraph 20 of the report, it is stated that witnesses reported discolouration of vegetation at the location. However, from a scientific perspective, there are many factors that can affect the appearance of plants (sparsity of water, excessive use of pesticides, plant disease, etc.). The detonation of conventional weapons can also change the environmental features, particularly plants, in the area of the blast site because of the high heat generated by the explosion, in excess of 1,000° Celsius, and the by-products of the explosion, which, in most cases, include acidic oxides.
- Satellite imagery cannot determine the cause of this discolouration of vegetation.

8. **Medical effects**

- The Mechanism makes no mention of certified medical reports pertaining to the injured and the results of blood analyses.
- In its report, the Mechanism uses the term "forensic analysis". This term is not clear and we do not know what is meant by it.

9. **Material evidence**

- In paragraph 29 of annex VII to its third report, the Mechanism states that the pictures of the site of the alleged incident "had been taken two days after the event", not immediately afterwards. In paragraph 25 of that same annex, the Mechanism leadership clearly states that, given that the pictures were taken

two days after the attack, it (i.e., the Mechanism leadership) could not rule out that the remnants could have been placed at the location beforehand. The terrorist groups had both the means and the time needed to carry out the fabrication and accuse the Syrian Arab Army of the incident.

- In paragraph 56 of annex VII to its third report, it is stated that the "remnants of a device found near the impact crater resemble the remnants of barrel bombs found near other impact sites, most notably in Sarmin. Nevertheless, from the analysis of the remnants and the crater it was not possible to determine whether the device contained explosives or toxic chemicals." In other words, according to the report, there is no material evidence that a chemical weapon was used.

- In paragraph seven of its report, the Mechanism states that it relied on supporting evidence that is of a credible nature, and that it developed specific standards in that regard. From a scientific perspective, evidence is classified as either material or circumstantial, and each type has its strengths. This perspective also does not favour material evidence over circumstantial evidence. With regard to this matter, the Mechanism introduced novelties and violated the basic rules of investigation.

- In paragraph 41 of its report, it is stated that, because of national security concerns, the Syrian Government did not provide additional information regarding the possession, transportation and storage of toxic chemicals by terrorist groups. This is not true. In all meetings with the Mechanism and all communications with the Mechanism or the Organization for the Prohibition of Chemical Weapons, the Mechanism was provided with information about the efforts of armed terrorist groups to acquire and possess toxic chemicals and to transport them. The Mechanism does not clarify what happened to that information and how it was dealt with, and whether it taken into account.

- We wonder why the Mechanism did not clarify what happened to the information that we had provided it about the terrorist cell that had been in possession of 2 kg of sarin when it was intercepted by the Turkish authorities on the Syrian-Turkish border. This information was subsequently supressed by the Turkish authorities. We also wonder why that group had obtained such a quantity.

- In paragraph 50 of its report, the Mechanism states that it had looked into the possession and movement of chlorine by terrorist groups, but it does not state what the outcome of its efforts was. The Mechanism looked into that matter for information purposes only, and it does not make any indication as to what became of the hundreds of tons of chlorine that were in the Aleppo chlorine production facility that had been taken over by the Nusrah Front terrorist organization and then by the Islamic State in Iraq and the Levant terrorist organization.

- The conclusion reached by the Mechanism regarding the allegation was based on the premise that it had not been proven that armed terrorist groups had been operating a helicopter at that time and that location, and thus suspicion falls on the Syrian air force. This is simply a conclusion and one that is not based on any direct and documented evidence.

10. Conclusions

- The report contains no material evidence that chlorine gas was actually used. It makes no reference to documents, certified analyses of samples, medical reports pertaining to the injured and blood analyses, and any remnants of a chemical projectile. It should be noted that it would have been very easy to obtain such information because the location of the incident was under the control of armed terrorist groups.
- Contrary to what it states in paragraphs 7 and 8 regarding the use of credible and reliable evidence, the leadership of the Mechanism relied primarily and directly on the statements and testimony of witnesses, although their credibility is questionable, and other unscientific and undocumented factors.
- In its report, the Mechanism fails to set out the new and sufficient evidence that led it to state that the incident had been the result of Syrian Arab Army helicopters dropping a device that contained a toxic substance from great altitude.
- The report did not address the clarification that had been provided by Syria.
- The conclusions are not consistent with the evidence that is in the possession of the Mechanism.
- The Mechanism exceeds its mandate and the parameters that it set out in paragraph six of the report when it states, in paragraph 52, that those who control military units must be held accountable, etc. In so doing, it is making an allegation and call for accountability.
- In paragraph 13 of the report, the Mechanism reiterates the challenges that it faced, including its inability to visit the locations of the alleged incidents and the fact that the incidents had occurred some time ago. In other words, it was unable to obtain actual documented material evidence. Accordingly, no party may offer any information without being able to determine its credibility for the reason that the Mechanism has set out, namely, that it is a weak basis for drawing a conclusion.

United Nations S/2016/904

Security Council

Distr.: General
27 October 2016
English
Original: Russian

Letter dated 27 October 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a comparative analysis of the implementation of the agreements between Russia and the United States on Syria (see annex).

I should be grateful if you would circulate this letter and its annex as a document of the Security Council.

(*Signed*) V. **Churkin**

16-18805 (E) 011116 011116

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Annex to the letter dated 27 October 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: English and Russian]

Comparative analysis of implementation of Russia-US agreement

No.	*Commitment*	*Russia, Syrian Govt*	*US-led Coalition, opposition groups*	*Result*
Russia-US Joint Statement on Cessation of Hostilities in Syria of 22 February 2016				
1.	Implement the cessation of hostilities (CoH) on the whole territory of Syria beginning from 12 a.m. on 27 February 2016	Ensured the implementation of the CoH as per schedule.	Ensured the implementation of the CoH within the prescribed time only by a part of the "moderate" opposition. 20 groups continued armed hostilities.	2,031 violations of the CoH on the part of the "moderate" opposition had been reported between 27 February and 1 September which claimed lives of 3,532 army men and 12,800 civilians. 8,949 army men and 25,642 civilians have been injured.
2.	Informing the Russian Federation and USA on the accession to the CoH by 12 p.m. on 26 February 2016	Handed over the list of 47 "moderate" opposition groups.	Presented a list of 138 "moderate" opposition groups, of which 2 belong to ISIS, and 8 to the Al-Nusra Front.	Failure to separate the moderate opposition from radical terrorist groups.
3.	Exchanging information between the Russian Federation and USA on the outlines of areas held by CoH parties.	Presented the information on areas in which operate 47 "moderate" opposition groups.	Presented no information on areas of operation.	Failure to outline the areas held by "moderate" opposition groups to distinguish the violators of the CoH.
4.	Identify areas held by ISIS and the Al-Nusra Front.	Transferred the available data on the positions of Al-Nusra and ISIS to the USA during the consultations.	Informed that the information provided by the Russian side is not accurate; during the consultations transferred a general scheme of areas controlled by Al-Nusra which does not allow to distinguish the "moderate" opposition from Al-Nusra.	Al-Nusra Front restored its combat capabilities and intensified the offensive on the Syrian government forces as well as terrorist attacks on civilians.

No.	Commitment	Russia, Syrian Govt	US-led Coalition, opposition groups	Result
5.	Resume strikes against ISIS and the Al-Nusra Front.	Continued making up to 150 strikes in a day on ISIS and the Al-Nusra Front. Liberated 586 towns, 12,360 sq. km of territory, eliminated about 35,000 terrorists, including 2,700 Russian and CIS nationals.	Did not carry out strikes against the Al-Nusra Front. Carried out between 6 and 15 strikes a day against ISIS.	Compared to 2015, the number of terrorist acts perpetrated by the Al-Nusra suicide bombers increased twofold.
6.	Create the ISSG Ceasefire Task Force.	As per schedule, Russian representatives arrived at Geneva to work as part of the ISSG.	United States representatives arrived at Geneva according to schedule.	The activity of the ISSG Ceasefire Task Force resulted in the exchange of data on the violations of the COH.
7.	Create a mechanism to monitor the compliance of the COH.	Established a Centre for reconciliation of opposing sides in Syria, sent its representatives to all of the provinces in order to monitor the implementation of the agreements at the command points of the government forces, as well as to keep direct contact with provincial governors. Up to 70 UAV units, as well as aviation.	The assessment of the situation was carried out based on the information found in the social media and the press.	An objective monitoring system that would suit all the parties could not be created.
8.	Establish a hotline between the airbase at Khmeimim and the US military and political analysis group based in Amman (Jordan).	A direct communications line was established within the set timeframe.	By the unilateral decision of the US, contact with Amman was suspended starting from 28 July 2016, and the US military and political analysis group was disbanded.	Persistent appeals by the Russian Federation to the United States to put pressure on the violators of the COH have demonstrated the US lacks leverage to exert influence on the opposition forces.
9.	Promote a political transition in Syria.	Arranged for the inclusion of elders from 847 towns and villages and 69 units of "moderate" opposition into the reconciliation process. Contributed to the drafting of a new Syrian constitution.	Failed to persuade the "moderate" opposition to withdraw the ultimatum for Bashar al-Assad to resign before the elections.	The political process came to standstill.

No.	Commitment	Russia, Syrian Govt	US-led Coalition, opposition groups	Result
Russia-US Agreement of 9 September 2016 on Reduction of Violence, Unimpeded and Sustained Humanitarian Access, and the Establishment of a Joint Implementation Centre				
1.	Resume the Cessation of Hostilities (CoH) on the whole territory of Syria starting at 7 p.m. on 12 September 2016.	Made sure that the Syrian army observed the CoH. Monitored how the agreements were observed through video surveillance posting the feed online. Despite violations extended the CoH twice (48 and 72 hours). The CoH lasted 7 days altogether.	Failed to compel the "moderate" opposition to observe the CoH.	From 12-19 September 2016, "moderate" opposition groups violated the CoH 302 times. Civilian casualties: 83 dead, 252 injured. The Syrian Army lost 153 people.
2.	Set up a Syrian Arab Red Crescent (SARC) checkpoint on Castello Road.	Set up a SARC checkpoint in the western section of Castello Road on 14 September 2016.	Failed to work with the "moderate" opposition to set up a checkpoint on Castello Road.	No access for the UN's humanitarian convoys.
3.	The Syrian army and "moderate" opposition forces pull back from Castello Road observing the following distances: tanks and artillery: 3-3.5 km AFVs, heavy machine guns: 2.5 km troops with small arms: 1 km observation posts: 500 m	Began to pull back from Castello Road twice — on 15-16 September 2016. Since the opposition didn't follow through on the obligations to pull back, the Syrian army units went back to their positions	Failed to compel the opposition forces to pull back from Castello Road.	No guarantee of safety for the UN's humanitarian convoys.
4.	Organize humanitarian aid deliveries to Aleppo	Set up 7 checkpoints for civilians to leave Aleppo and 1 checkpoint for armed rebels. Coordinated the UN's humanitarian aid deliveries	Rebels planted explosives in all exit points from Aleppo. Harassed civilians who tried to leave the city. Leaders of opposition groups refused to let UN humanitarian convoys through.	Civilians in Aleppo have no food, no medical supplies and no way out of the city.

No.	Commitment	Russia, Syrian Govt	US-led Coalition, opposition groups	Result
5.	Establish a Joint Implementation Centre to plan joint operations against ISIS and the Al-Nusra Front.	Russian representatives arrived at the JIC, but could not commence deliberations due to a refusal from US representatives.	US representatives arrived at the JIC, but did not commence deliberations following instructions from Washington.	Joint planning of operations against ISIS and the Al-Nusra Front by Russian Aerospace Forces and USAF never launched.
6.	Launch joint operations against ISIS and the Al-Nusra Front.	Russian Aerospace Forces have single-handedly continued air strikes against ISIS and Al-Nusra targets (50 sorties, 140-150 air strikes a day on average).	The USAF has not attacked Al-Nusra targets. Their operations against ISIS average 12-15 sorties, 8-10 air strikes a day. On 17 September 2016, the USAF bombed Syrian Army positions near Deir ez-Zor, killing 62 and injuring more than 100 personnel.	Joint US-Russian operations against ISIS and the Al-Nusra Front never launched, allowing terrorists to retain control over a large territory and carry out offensive operations against government troops.

United Nations S/2016/905

Security Council

Distr.: General
31 October 2016

Original: English

United States of America: draft resolution

The Security Council,

Recalling its resolutions 2235 (2015), 2209 (2015) and 2118 (2013),

Noting that additional allegations of chemical weapons use in Syria are being investigated by the Fact-Finding Mission of the OPCW,

Condemning again in the strongest terms any use of any toxic chemical as a weapon in the Syrian Arab Republic and *expressing alarm* that civilians continue to be killed and injured by toxic chemicals as weapons in the Syrian Arab Republic,

Reaffirming that the use of chemical weapons constitutes a serious violation of international law and *reiterating* that those individuals, entities, groups or governments responsible for any use of chemical weapons must be held accountable,

1. *Decides* to renew the mandate of the Joint Investigative Mechanism, as set out in resolution 2235, until 18 November 2016, and expresses its intention to consider a further extension before the expiration of this mandate;

2. *Reaffirms* paragraphs 1-4, 6-9, 12, and 15 of resolution 2235, and stresses the need for the full functioning of the Joint Investigative Mechanism during this period;

3. *Decides* to remain actively seized of the matter.

16-18964 (E) 311016

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United Nations S/2016/906

Security Council

Distr.: General
1 November 2016
English
Original: Arabic

Identical letters dated 28 October 2016 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, and in response to the false claims set out in the identical letters dated 12 September 2016 from the Permanent Representative of Israel, the occupying Power, addressed to the Secretary-General and the President of the Security Council (S/2016/777), I should like to convey to you the following information:

As it has for nearly half a century, Israel continues to occupy the Syrian Golan in stark violation of all authoritative international resolutions that call on Israel, the occupying Power, to halt its oppressive practices against Syrian citizens who are living under occupation and to withdraw fully from the occupied Syrian Golan to the line of 4 June 1967.

Since the start of the events in Syria, Israel, the occupying Power, has added to its record of acts of aggression and violations of the Disengagement of Forces Agreement and Security Council resolutions, particularly those resolutions concerning counter-terrorism. It has done so by providing all forms of support to armed terrorist groups in the area of separation in the occupied Syrian Golan, including to the Nusrah Front, which is on the Security Council list of terrorist entities. Israel has provided the members of those groups with logistical and medical support, communicated with them across the ceasefire line and facilitated their movement from the southernmost point of the area of separation to its north. All of those violations have been documented in United Nations reports. Indeed, in many instances, those violations have included direct military intervention and the provision of supporting fire to the armed terrorist groups on numerous pretexts, including shells striking the occupied side of the Syrian Golan. As everyone is aware, those shells were fired by the armed terrorist groups themselves, with the knowledge of and in coordination with the Israeli occupying forces.

The Government of the Syrian Arab Republic notes that it had informed the United Nations forces commander that it had nothing to do with the firing of the shells; the shells were fired by the armed terrorist groups in order to create a pretext for the Israeli occupying forces to provide those groups with supporting fire when they attack Syrian law enforcement forces. Following is a summary of some of the violations of the Disengagement of Forces Agreement and Security Council resolutions that are being committed by Israel:

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- Israeli occupying forces have continued to communicate and coordinate with the leaders of the armed terrorist groups and to provide them with support;
- The terrorists have been allowed to erect a four-metre high earthen berm inside occupied territory, from Hamidiyah to Jubbata al-Khashab, in order to facilitate the provision by Israel of logistical and medical support to the armed terrorist groups;
- Israel has illegally opened passages and built gates along the technical fence, in order to communicate with armed terrorists;
- The Israeli Government held a provocative meeting in the occupied Syrian Golan and made statements at the time that are contrary to Security Council resolutions;
- Israel, in collusion with armed terrorist groups, has been attempting to empty the Wadi Yarmuk and Wadi al-Ruqqad areas in the Dar'a countryside of their population. It has been pushing residents to leave those areas by enticing them with offers of assistance to migrate to Western and African countries, and offering all necessary assistance to make that possible;
- Israel has been digging for artefacts in the villages of Burayqah and Bi'r Ajam, which lie east of the ceasefire line in the area of separation;
- Israel has been drilling for oil in the occupied Syrian Golan.

The Government of the Syrian Arab Republic calls on the United Nations, particularly the Security Council, to act rapidly in order to end Israeli violations immediately. It also calls on the Organization and the Security Council to put pressure on Israel to implement the relevant resolutions of the Council, particularly resolutions 242 (1967), 338 (1973) and 497 (1981), and compel Israel to withdraw fully from the occupied Syrian Golan to the line of 4 June 1967.

I should be grateful if the present letter could be issued as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

United Nations A/71/575–S/2016/907

General Assembly
Security Council

Distr.: General
28 October 2016

Original: English

General Assembly
Seventy-first session
Agenda item 68 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Security Council
Seventy-first year

Letter dated 24 October 2016 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to attach herewith the statement of the Parliament of Ukraine, the Verkhovna Rada of Ukraine, on the illegal deprivation of freedom of Ukrainian journalists Roman Sushchenko and Mykola Semena (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 68 (c), and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

16-18883 (E) 031116

Please recycle

Annex to the letter dated 24 October 2016 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Statement of the Verkhovna Rada of Ukraine on the illegal deprivation of freedom of Ukrainian journalists Roman Sushchenko and Mykola Semena

5 October 2016

On 30 September 2016, under uncertain circumstances, the Russian security service (FSB) detained, in Moscow, a Ukrainian journalist who is a Ukrainian National Information Agency (UKRINFORM) special correspondent in France, Roman Sushchenko, who had arrived in the territory of the Russian Federation for a private visit with his close relatives. The Russian authorities have groundlessly accused him of espionage.

A closed court session was held on 1 October 2016, which resulted in a court decision to arrest the Ukrainian journalist for two months. Ukraine was only notified about the detention of the Ukrainian citizen on 2 October 2016.

Up until the end of day on 3 October 2016, the Russian authorities have not permitted the Ukrainian consular officials to visit their arrested compatriot, which is a grave violation of article 13 of the consular convention between Ukraine and the Russian Federation. Also, a lawyer hasn't been allowed to visit Mr. Sushchenko — another direct violation of his rights as well as the international legal obligations of the Russian Federation.

Taking into account a striking similarity between the detention of Mr. Sushchenko and the detention by the Russian security services of other Ukrainian citizens, who are recognized by the international community as political prisoners of the Kremlin, and the completely farfetched nature of this case, the Verkhovna Rada of Ukraine expresses its deep concern about the illegal detention and further fate of the Ukrainian journalist.

We have to highlight that Mr. Sushchenko is not the only Ukrainian journalist who faces a fabricated case. In particular, there is another citizen of Ukraine, Mykola Semena, a journalist who also faces false accusations in a fabricated case and who is under a court trial today in the temporarily occupied Crimea. Despite the protests of the Ukrainian authorities and journalist organizations, Mr. Semena is not allowed to leave the occupied Crimea for medical treatment.

Performing his professional duties and defending his civil position, this journalist wrote an article entitled "The blockade is the first step to the liberation of Crimea", posted on the information website "Crimea. Realities" — a Radio Svoboda project — while he was in the mainland of Ukraine in September 2015.

On 19 April 2016, the Russian security service (FSB) searched Mr. Semena's residence in the temporarily occupied Crimea and later initiated a criminal investigation accusing him of separatism for his publications as a journalist.

Despite Mr. Semena's health condition, he was denied entry to the mainland of Ukraine for medical treatment, which can clearly be considered as torture. In October 2016, criminal proceedings against him will continue based on the trumped-up charges.

These and other cases against citizens of Ukraine, who are illegally held in Russia and in the territory of Ukraine which is under the Russian occupation, are a clear demonstration of continuing human rights violations by the Russian Federation on a massive scale, using the methods of forcible seizure in its territory or abduction of hostages from the territory of Ukraine with subsequent initiation of preposterous accusations against them. The Russian Federation actively applies psychological pressure and physical torture to the detained Ukrainians.

We firmly believe that the mentioned cases of persecution of Ukrainian citizens are directly linked to their journalistic activities.

Through such actions the representatives of the Russian Federation are trying to intimidate journalists, attempting to take hostage those for whom the protection of human rights and fundamental freedoms, in particular freedom of speech and expression, is essential and lies within the core of their work. This wrongful goal must not be achieved and such actions deserve condemnation.

We urgently call on you to consolidate efforts to release the Ukrainian journalists held by the Russian Federation, which gravely violates human rights, and to facilitate the immediate access of consular officials of Ukraine and a lawyer to the detained journalist, Roman Sushchenko. It is only through the joint actions of Ukraine and the international community that we can stop the gross violations of human rights, which, unfortunately, have now become a regular practice in the Russian Federation.

United Nations A/71/574–S/2016/908

General Assembly
Security Council

Distr.: General
28 October 2016

Original: English

General Assembly
Seventy-first session
Agenda item 68 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Security Council
Seventy-first year

Letter dated 26 October 2016 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the statement of the Ministry of Foreign Affairs of Ukraine on the decision of the Supreme Court of the Russian Federation concerning the illegally imprisoned citizens of Ukraine, Mykola Karpyuk and Stanislav Klykh (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 68 (c), and of the Security Council.

(Signed) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

16-18880 (E) 031116

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Annex to the letter dated 26 October 2016 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Ukraine on the decision of the Supreme Court of the Russian Federation concerning the illegally imprisoned citizens of Ukraine, Mykola Karpyuk and Stanislav Klykh

The Ministry of Foreign Affairs of Ukraine strongly condemns the decision of the Supreme Court of the Russian Federation on 26 October 2016 to uphold the sentences of the citizens of Ukraine, Mykola Karpyuk and Stanislav Klykh, who have been imprisoned by the Russian authorities to 22.5 and 20 years, respectively, in a colony on fabricated accusations of establishing armed groupings and of the felonious homicide of Russian servicemen during combat operations in the Chechen Republic in 1994 and 1995.

The politically motivated criminal cases concerning Mr. Karpyuk and Mr. Klykh, as well the Supreme Court's defiance of the facts presented by the defending party, which proves falsification of the case and numerous and severe irregularities in the judicial proceedings, provide yet more evidence of the absence in the Russian Federation of true and fair justice. The defiance of Ukraine's and the defending party's legal and justified demands on conducting an independent psychiatric examination of the health of Mr. Klykh is especially cynical and has been causing concern for a long time.

We demand that the State aggressor immediately release Mr. Karpyuk and Mr. Klykh, whose sentences have been politically motivated, and other citizens of Ukraine who are illegally detained in the Russian Federation under fabricated accusations.

We call upon the international community and human rights institutions to take all possible legal, political and economic actions in order to release and bring back to Ukraine its citizens, who have become political prisoners of the Kremlin, resulting from Russia's military aggression and illegal occupation of the sovereign territory of Ukraine.

United Nations A/71/573–S/2016/909

General Assembly
Security Council

Distr.: General
28 October 2016

Original: English

General Assembly
Seventy-first session
Agenda item 31
Prevention of armed conflict

Security Council
Seventy-first year

Letter dated 26 October 2016 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the statement of the Ministry of Foreign Affairs of Ukraine on the illegal visit of the President of the Russian Federation, Vladimir Putin, on 26 October 2016 to the temporarily occupied Autonomous Republic of Crimea, Ukraine (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 31, and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

16-18879 (E) 011116

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Annex to the letter dated 26 October 2016 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of Ukraine on the illegal visit of the President of the Russian Federation, Vladimir Putin, to the temporarily occupied Autonomous Republic of Crimea, Ukraine

The Ministry of Foreign Affairs of Ukraine expresses its strong protest against yet another visit, not coordinated with Ukraine, of the President of the Russian Federation, Vladimir Putin, which started on 26 October 2016, to the temporarily occupied Autonomous Republic of Crimea, Ukraine.

The Ministry of Foreign Affairs of Ukraine has repeatedly emphasized the inadmissibility of visits, not coordinated with Ukraine, of Russian officials to the sovereign territory of Ukraine within its internationally recognized borders, which include the Autonomous Republic of Crimea and the city of Sevastopol.

Ukraine considers this and other similar so-called "visits" as further attempts to legitimize the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol that have already resulted in economic, social and humanitarian problems on the peninsula, as well the blatant neglect by the Russian Federation of the Charter of the United Nations, General Assembly resolution 68/262 on the territorial integrity of Ukraine, the Baku Declaration, Parliamentary Assembly resolutions of the Organization for Security and Cooperation in Europe, obligations under the Treaty between the Russian Federation and Ukraine on Friendship, Cooperation and Partnership of 1997 and other norms of international law.

The Ministry of Foreign Affairs of Ukraine states that, according to the norms of international law, the Russian Federation, as the occupying State, its officials and illegal "Crimean authorities" and their representatives who commit illegal acts and make illegal decisions bear full responsibility for these violations.

United Nations S/2016/910

Security Council

Distr.: General
28 October 2016

Original: English

Letter dated 28 October 2016 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you a letter from the National Coalition of Syrian Revolutionary and Opposition Forces, dated 27 October 2016 (see annex).

I should be most grateful if you would circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Matthew **Rycroft**

16-18878 (E) 021116

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Annex to the letter dated 28 October 2016 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

On Wednesday, 26 October, at approximately 11.30 a.m. Damascus time, six indiscriminate air strikes perpetrated by either Syrian regime or Russian forces targeted the village of Has, in the Ma'arrat al-Nu'man countryside, southern Idlib, striking a school complex that included an elementary and middle school. The attacks, which took place while classes were still in session, left at least 22 schoolchildren and six teachers dead and countless others injured.

The Idlib attacks were among the most heinous and lethal to date, in a conflict that has been defined by unprecedented destruction and State-sponsored savagery. According to the United Nations Children's Fund (UNICEF), the attacks on Idlib may in fact "be the deadliest attack on a school since the war began more than five years ago". Sadly, however, they were not isolated attacks.

Since the start of 2016, UNICEF has verified at least 38 attacks on schools around Syria. Of the 60 schools that Save the Children supports in Idlib and neighbouring Aleppo, 44 have been affected by bombing this year alone, with several badly damaged. At least 20 students and teachers from schools supported by Save the Children have been killed or injured this year alone. The vast majority of these attacks have been perpetrated via air strikes launched by the Syrian regime or Russia. According to the Independent International Commission of Inquiry on the Syrian Arab Republic, these attacks have killed hundreds of children in opposition-held areas (see A/HRC/33/55).

The pattern of attacks on Syria's children, including the repeated bombardments, is symptomatic of a policy by the Syrian regime and Russia to deliberately and systematically target schools in an effort to sow fear in Syria's civilian population. The targeting of Syria's schools, and the repeated failure of the Syrian regime and Russia to take even the most basic of precautions to protect Syrian civilians from indiscriminate attacks, constitute a gross violation of international humanitarian law, in particular article 51 of Additional Protocol I of 1977 to the Geneva Conventions of 1949 and Security Council resolutions 2139 (2014), 2165 (2014), 2254 (2015) and 2268 (2016). Yet, throughout the course of the Syrian crisis, no actions have been taken to hold either the Syrian regime or Russia accountable for their flagrant war crimes and crimes against humanity.

The failure of the Security Council to take even the most basic steps to deter these strikes and protect Syria's children from indiscriminate slaughter has allowed the attacks on Idlib and across Aleppo to escalate and worsen. The members of the Council must take immediate action to prevent these brazen attacks and hold those responsible to account. We, the Syrian National Coalition, thus join the calls of the Under-Secretary-General for Humanitarian Affairs upon "Council members who have operational military assets in Syria to take concrete steps to halt the aerial bombardment of civilian areas in order to deliver on your existing international obligations and, above all, to protect civilians".

We appeal to Member States:

(a) To protect Syrian civilians through the enforcement of a nationwide no-bomb zone aimed at deterring attacks such as those perpetrated against Idlib's children on 26 October;

(b) To impose punitive measures sanctioning the Syrian regime and Russia for their continued defiance of international law and wilful killing of innocent children;

(c) To ensure accountability for all parties responsible for indiscriminate attacks on Syrian children, including Russia, by referring the situation in Syria to the International Criminal Court. Should a referral continue to be impeded by Russia, it is imperative that members take action under national or universal jurisdiction, and work through the General Assembly to establish a special tribunal on the situation in Syria and request an advisory opinion from the International Court of Justice.

Each day that the Security Council waits to deter air strikes in Syria through the enforcement of coercive measures, more Syrian children die. Syria's children want and need the bombs to stop. Failure by the members of this Council to save Syria's children from this most cruel and savage form of death is tantamount to acceptance of Russian and Syrian war crimes.

(*Signed*) Anas **Abdah**
President
Syrian National Coalition

Enclosure

Deaths and aerial bombardment in Aleppo and Idlib

- There have been at least 305 deaths, including 258 civilians, in Aleppo, according to the Violations Documentation Center in Syria.
- There have been at least 72 deaths, including 31 civilians, in Idlib, according to the Violations Documentation Center in Syria.
- Syrian regime and Russian Federation aerial bombardment was responsible for 63 per cent of civilian deaths in Idlib and Aleppo in the first 10 days of June, according to the Violations Documentation Center in Syria.
- At least 22 Russian and Syrian warplanes and 16 helicopters were operating in the air above Aleppo and Idlib.
- The Syrian regime and Russian forces continually targeted Aleppo and Idlib with air strikes, barrel bombs, cluster munitions and thermobaric weapons.
- In Aleppo, the Syrian regime and Russian forces continued to bomb the Castello road, the sole land exit route for civilians, with reports of artillery bombardment by Kurdish forces on the Castello road.
- In Idlib, Syrian regime and Russian forces bombed residential areas, a mosque, a school and a public marketplace, in breach of the cessation of hostilities agreement. Many Syrians have, as a result, fled from the city of Idlib and all shops and institutions are closed.